

Applicati n Serial No. 09/478,849

Att may Docket No. CIC-037-US

VERSION WITH MARKINGS TO SHOW CHANGES MADE**Claims****Summary of Claim Amendments**

Claims 32 and 33 have been amended as follows, wherein additions relative to the previous amendment are underlined:

32. (twice amended) An optical system, comprising:

- a.** a modulated scanning beam of light for forming an intermediate image;
- b.** a light redistributing means positioned proximate to said intermediate image for expanding a cone of light incident on said light redistributing means into a larger cone of exodus; and
- c.** a re-imaging means for re-imaging said intermediate image so as to form a virtual image, wherein said re-imaging means forms an exit pupil.

33. (once amended) An optical system, comprising:

- a.** a modulated scanning beam of light for forming an intermediate image;
- b.** a means for re-imaging said intermediate image so as to form a virtual image, wherein said means for re-imaging said intermediate image forms an exit pupil; and
- c.** a light redistributing means positioned proximate to said intermediate image for expanding said exit pupil.

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Remarks

Notwithstanding the *Notice of Non-Compliant Amendment (37 CFR 1.121)*, Applicant respectfully submits that the amendment filed on 4 December 2001 was indeed compliant because a clean version of the amended claims was submitted on page 4 of the amendment, and a marked-up version of the claims was submitted on page 7 of the amendment. The form in which the amended claims were presented in the amendment was in compliance with 37 C.F.R. § 1.173, as provided by 37 CFR § 1.121(h), except that the parenthetical expressions "(twice amended)" and "(once amended)" had been inadvertently omitted from claims 32 and 33 respectively. (The lack of parenthetical expressions had not been indicated as a reason for non-compliance.) Claims 32 and 33 were added relative to the original patent, and accordingly, the clean version of these claims is underlined in accordance with 37 C.F.R. § 1.173(d). The changes to claims 32 and 33 relative to the previous version were pointed out on page 7 of the amendment in the "Remarks" portion thereof, in accordance with MPEP § 1453 (Amendment of New Claims).

Unfortunately, the *Notice of Non-Compliant Amendment (37 CFR 1.121)* was originally mailed to an old address that had previously been changed, resulting in at least an eight month delay in prosecution, even though the original amendment included all of the items that have been alleged to have been missing.

Applicant respectfully submits that the instant application is in the proper form for Notice of Allowance, and respectfully requests that this be timely issued in this case.

Respectfully Submitted,



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